

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

PERCY WOODS,

Plaintiff,

vs.

MIKE DONLEY, Secretary of the Air Force,

Defendant.

Case No. 2:10-cv-01144-PMP-PAL

**REPORT OF FINDINGS AND
RECOMMENDATION**

This matter is before the court on Plaintiff's failure to file an Amended Complaint. On November 2, 2010, the court entered an Order (Dkt. #4) granting Plaintiff's Application to Proceed *In Forma Pauperis* and screening his Complaint pursuant to 28 U.S.C. § 1915(a). *See* Order, Dkt. #4. The Order found Plaintiff's Complaint failed to state a claim upon which relief could be granted and dismissed the Complaint with leave to amend. *Id.* Plaintiff's Amended Complaint was due December 2, 2010. Plaintiff has not filed an amended complaint, nor has he requested additional time in which to comply. Plaintiff was warned that failure to comply with the screening order would result in a recommendation to the District Judge that this case be dismissed. Accordingly,

IT IS THE RECOMMENDATION that the Complaint be **DISMISSED**.

Dated this 24th day of January, 2011.


 PEGGY A. ALLEN
 UNITED STATES MAGISTRATE JUDGE

NOTICE

These findings and recommendations are submitted to the United States District Judge assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days after being

1 served with these findings and recommendations, any party may file written objections with the court.
2 Pursuant to Local Rule of Practice (LR) IB 3-2(a), any party wishing to object to the findings and
3 recommendations of a magistrate judge shall file and serve *specific written objections* together with
4 points and authorities in support of those objections, within fourteen days of the date of service of the
5 findings and recommendations. The document should be captioned “Objections to Magistrate Judge’s
6 Findings and Recommendations.” The parties are advised that failure to file objections within the
7 specified time may waive the right to appeal the District Court’s Order. *Martinez v. Ylst*, 951 F.2d 1153
8 (9th Cir. 1991). The points and authorities filed in support of the specific written objections are subject
9 to the page limitations found in LR 7-4.